

02-21-03

3739

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/015,303
Filing Date	December 12, 2001
First Named Inventor	Michael D. Hooven
Group Art Unit	3739
Examiner Name	Rosiland S. Kearney
Attorney Docket Number	HOOV 116

Total Number of Pages in This Submission **14****ENCLOSURES (check all that apply)**

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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Remarks

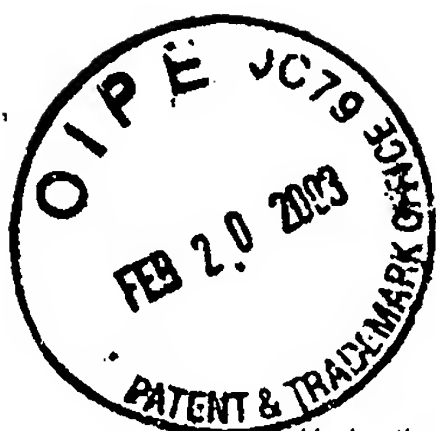
By U.S. Postal Service Express Mail
Label No. EV036908384US**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357)
Signature	<i>Gary W. McFarron</i>
Date	February 20, 2003

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ~~first class~~ ^{Express} mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **February 20, 2002**

Typed or printed name	Jeannie Rapstad		
Signature	<i>Jeannie Rapstad</i>	Date	February 20, 2002

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TECHNOLOGY CENTER R3700

PTO/SB/17 (11-01)

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 0.00)

Compleat if Known

Application Number	10/015,303
Filing Date	December 12, 2001
First Named Inventor	Michael D. Hooven
Examiner Name	Rosiland S. Kearney
Group Art Unit	3739
Attorney Docket No.	HOOV 116

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	50/1039
Deposit Account Name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☒ Charge fees indicated below to the above identified deposit account underpayment of fees**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	7	-20** =	0	X	9.00	=	0.00
Independent Claims	3	-3** =	0	X	42.00	=	0.00
Multiple Dependent							

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY

Name (Print/Type) Gary W. McFarron, Esq.

Registration No.
(Attorney/Agent)

27,357

Complete (if applicable)

Telephone (312) 236-8500

Signature

Date February 20, 2003

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PATENT

Attorney Docket No. HOOV 116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael D. Hooven

Serial No.: 10/015,303

Filed: December 12, 2001

Group Art No.: 3739

Examiner: Rosiland S. Kearney

For: TRANSMURAL ABLATION DEVICE
WITH THERMOCOUPLE FOR
MEASURING TISSUE TEMPERATURE)

Commissioner for Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

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NAME Jeannie Rapstad

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Jeannie Rapstad

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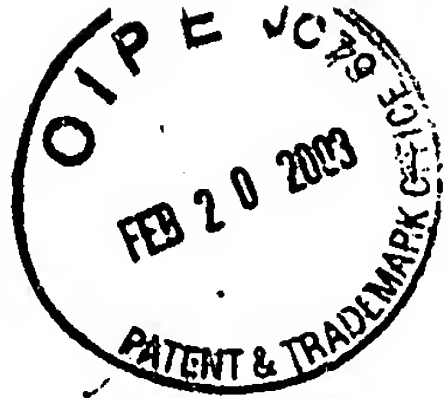
1. Transmittal Form PTO/SB/21 (1 sheet);
2. Amendment and Response to Office Action (10 sheets);
3. Fee Transmittal (in duplicate, 2 sheets total);
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Name: Jeannie Rapstad

Signature:

Jeannie Rapstad

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PATENT
Attorney Docket No. HOOV 116

10/6/03
3-3-3

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Michael D. Hooven

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NAME Jeannie Rapstad

SIGNATURE

Jeannie Rapstad

Commissioner for Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

AMENDMENT AND RESPONSE TO THE OFFICE ACTION
OF NOVEMBER 20, 2002

In response to the Office Action of November 20, 2002, please amend independent claims 1 and 4 and add Claim 7 to read as follows:

CLAIMS

In the Claims

1. (Amended) A device for clamping and ablating cardiac tissue comprising:

a first handle member;

a second handle member;

first and second mating jaw members associated with the first and second handle members, respectively, the jaw members being